

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM
BOARD OF ADMINISTRATION
2011 Legislative Year**

Status as of April 1, 2011

B - Other Bills

Bill Number Version	Author	Summary	Board Position	Status
AB 7 I-12/06/2010	Portantino	State Employees: Executive Salary Freeze Prohibits State employees whose base salaries are greater than \$150,000 per year from receiving a salary increase while employed in the same position or classification. The bill would exempt persons whose compensation is governed by an operative memorandum of understanding, who have been exempted by executive order of the Governor or whose salaries are set pursuant to the California Constitution. This prohibition would remain in effect until January 1, 2014.	Oppose, Unless Amended	03/30/2011- Assembly Appropriations Committee <i>Same as ABX1 1.</i>
AB 17 I-12/06/2010	Davis	Emerging Investment Managers and Brokerage Firms Requires the CalPERS Board of Administration to annually report to the Legislature on the ethnicity and gender of its external investment managers and external firms that provide brokerage services. It would also require the Board to develop and include in the report plans and strategies to increase the participation of emerging investment managers and emerging brokerage firms, as defined.		03/30/2011- Assembly Appropriations Committee
AB 36 E-03/30/2011	Perea	State Tax Conformity for Dependent Care Coverage up to Age 26 This bill conforms to federal tax law by excluding from an employee's gross income for State personal income tax purposes, the value of employer-provided health coverage for a child who, at the end of the taxable year, has not attained age 27. It also allows parents to exclude from their gross income, any reimbursements for medical expenses made under a flexible spending arrangement. If enacted, this tax measure would take effect immediately.	Support	03/30/2011- To Governor.

Bill Number Version	Author	Summary	Board Position	Status
AB 89 I-01/06/2011	Hill	Retirement Calculation Compensation Limit Would require all public retirement systems in California to adhere to the federal compensation limit under Internal Revenue Code (IRC) Section 401(a)(17) when calculating retirement benefits for members who first join the retirement system on or after January 1, 2012.	Support, if Amended	01/27/2011- Assembly PER&SS Committee
AB 92 A-02/28/2011	Blumenfield	2011-12 Budget Act Makes appropriations for support of State government for the 2011-12 fiscal year. As a budget bill, it would take effect immediately.		03/01/2011- Assembly Budget Committee
AB 102 A-03/14/2011	Assembly Budget Committee	Budget Trailer Bill: Administration of Justice Grandfathers certain employees of the Office of the Inspector General of the California Department of Corrections and Rehabilitation as PO/FF members.		03/16/2011- Senate - Assembly Bills Third Reading
AB 104 A-03/14/2011	Assembly Budget Committee	Budget Trailer Bill: State Government Requires the Board to negotiate with health benefit carriers to add a Core Health Plan Option to its existing portfolio of health plans, and/or implement measures to achieve ongoing cost savings beginning in the 2012-13 fiscal year.		03/16/2011- Senate - Assembly Bills Third Reading
AB 154 A-03/24/2011	Beall	Health Care Coverage: Mental Health Services Would expand coverage for certain health plans and health insurance policies which are issued, amended, or renewed on or after January 1, 2012, to include the diagnosis and treatment of mental illness as defined in the "Diagnostic and Statistical Manual of Mental Disorders IV" (including substance abuse but excluding nicotine dependence and other specified diagnoses). This requirement would not apply to CalPERS health plans, contracts, or health insurance policies unless the Board elects to purchase a plan/contract/policy providing mental health coverage.		03/25/2011- Assembly Health Committee

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AB 344 A-02/28/2011	Furutani	Final Compensation and Post Retirement Employment Would prohibit exceptions for members not in a group or class that allow recognition of increases in compensation earnable beyond increases reported for all employees in the same membership classification. It would also prohibit a retired annuitant from serving on a temporary or emergency basis without reinstatement beyond the 960 hour per year limit.		03/01/2011- Assembly PER&SS Committee
AB 617 I-02/16/2011	Davis	Retired School Member Death Benefits Would increase the retired school member lump sum death benefit from \$2,000 to \$6,163.		03/03/2011- Assembly PER&SS Committee
AB 738 I-02/17/2011	Hagman	Pension Ban for Elected Officials Would prohibit a person who is elected to public office, on or after January 1, 2012, from becoming a member of a retirement system by virtue of that service or acquiring any retirement right or benefit for serving in that elective office. This prohibition would not apply to an elected official who obtained membership by virtue of holding office prior to January 2012, and remains in, or is reelected to that office.		03/07/2011- Assembly PER&SS Committee
AB 769 I-02/17/2011	Hueso	Pension Ban for Appointed State Board and Commission Members Among other things, would prohibit a person who is appointed to any State board or commission, on or after January 1, 2012, from becoming a member of CalPERS or CalSTRS, earning service credit by virtue of that service, or acquiring any other retirement right or benefit for serving on that State board or commission. This prohibition would not apply to a State board or commission member that obtained membership in CalPERS or CalSTRS by virtue of their service prior to January 2012, and remains in, or is reappointed to that position.		03/07/2011- Assembly PER&SS Committee

Bill Number Version	Author	Summary	Board Position	Status
AB 870 A-03/31/2011	Grove	Hybrid Retirement Plans for New CalPERS Members Would require CalPERS to establish a hybrid retirement plan for public employees who become members on or after January 1, 2012. The hybrid plan would be required to provide a defined contribution plan and defined benefit plan for retirement for service and a defined benefit for disability or death. The bill would also prohibit those plans from creating a vested property right for the member with respect to any employer contributions before retirement.		03/31/2011- Assembly PER&SS Committee <i>Same as SB 520.</i>
AB 873 I-02/17/2011	Furutani	Post-Separation Employment for State Retirement System Board and Staff Prohibits CalPERS and CalSTRS board members, administrators, executive officers, investment officers and general counsels from accepting a paid position, for the two years following their separation from the retirement system, from any employer with whom the former official was involved, both personally and substantially, in specified decisions related to retirement system contracts and investments valued at greater than \$10 million during the previous five years. It would not apply this prohibition to a former retirement system official that obtains employment from an entity whose principal market is unrelated to the individual's prior service. The bill would also prohibit these officials from accepting employment for a period of two years following their separation from the system, with any placement agent that has successfully placed an investment with either retirement system during the previous ten years.	Support, if Amended	03/14/2011- Assembly PER&SS Committee
AB 933 I-02/18/2011	Allen	State Safety Member Classification Would include all State prison and State hospital employees within the State safety member classification.		03/10/2011- Assembly PER&SS Committee

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AB 1151 A-03/30/2011	Feuer	Fiduciary Determinations for Iran Divestment Imposes additional procedural requirements if either CalPERS or CalSTRS invokes fiduciary responsibilities (described in Section 17 of Article XVI of the California Constitution) as the reason to continue investments in companies with specified dealings in Iran's energy sector. These new requirements include adopting findings that demonstrate how divestment disadvantages Fund beneficiaries, indicating that any feasible investment alternatives would yield a lower rate of return with commensurate degrees of risk, or create a higher degree of risk with commensurate rates of return.		03/31/2011- Assembly PER&SS Committee
AB 1184 I-02/18/2011	Gatto	Contracting Agency Liability for Excessive Compensation and Closure of the Replacement Benefits Plan for New Employees Would require the contracting agency from which a non-represented CalPERS member retires, or otherwise has his or her final compensation calculated, to pay that portion of the liability for creditable service performed for a prior contracting agency that exceeds 115 percent of the last salary paid by that agency, as adjusted for actuarially assumed salary increases. It would also close the CalPERS Replacement Benefit Plan and prohibit contracting agencies from establishing their own plans for CalPERS members hired on or after January 1, 2013.		03/17/2011- Assembly PER&SS Committee
AB 1247 A-03/31/2011	Fletcher	Public Employee Retirement Systems: Financial and Investment Reporting Requirements Would require the annual report of all State and local public retirement systems to include projections of the fair market value of system assets for each of the next 20 years based on assumed rates of returns of 6 percent, 7.75 percent and 9.5 percent.		03/31/2011- Assembly PER&SS Committee

Bill Number Version	Author	Summary	Board Position	Status
AB 1320 I-02/18/2011	Allen	Retirement System Employer Risk Prevention Accounts Among other things, it would establish a Taxpayer Adverse Risk Prevention Account for each CalPERS employer, whose assets would be invested with other CalPERS assets, and be available to pay employer retirement contributions that exceed the normal cost of benefits, or, for other specified transfers. Employer contributions to such accounts would be required when the employer contribution rate is less than the normal cost of benefits, and would cease when account assets exceeds 50 percent of the employer's other assets for retirement benefits. This bill also establishes similar accounts for public employers that participate in 1937 Act County Retirement Systems.		03/21/2011- Assembly PER&SS Committee
AB 1379 A-03/14/2011	Bradford	Reports on California and Emerging Domestic Market Investments This bill requests, but does not require, State and local pension systems with assets over \$4 billion to report to the State Controller on their California and emerging domestic market investments, and include estimates of the number of jobs created and retained as a result of their investment activity. It also expresses legislative intent that retirement systems with sufficiently diversified portfolios, consistent with their plenary authority and their fiduciary responsibilities, adopt emerging domestic market investment policies. The bill requires the State Controller to develop, in consultation with the affected funds, streamlined and cost-effective methods for identifying investments within their portfolios that meet the definitions of California investment and emerging domestic market investments by June 1, 2012, to be updated at least every 5 years.		03/15/2011- Assembly PER&SS Committee
ABX1 1 I-12/06/2010	Portantino	State Employees: Executive Salary Freeze Would prohibit State employees whose base salaries are greater than \$150,000 per year from receiving a salary increase while employed in the same position or classification. The bill would exempt persons whose compensation is governed by an operative memorandum of understanding, who have been exempted by executive order of the Governor or whose salaries are set pursuant to the California Constitution. This prohibition would remain in effect until January 1, 2014.		12/07/2010- From printer. <i>Same as AB 7.</i>

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SB 27 A-03/03/2011	Simitian	Pension Spiking and Return to Work Limits Would provide, effective July 1, 2012, that any change in salary, compensation, or remuneration principally for the purpose of enhancing the benefits of a CalPERS or CalSTRS member would not be included in the calculation of the member's final compensation for purposes of determining their defined benefit. It would also prohibit any CalPERS or CalSTRS member that retires on or after January 1, 2013 from performing services for any employer covered by their retirement system until the member has been separated from service for at least 180 days. It also makes additional conforming changes in the Public Employees' Retirement Law.		03/22/2011- Senate Appropriations Committee
SB 68 A-02/28/2011	Leno	2011-12 Budget Act Makes appropriations for support of State government for the 2011-12 fiscal year. As a budget bill, it would take effect immediately.		02/28/2011- Senate Budget and Fiscal Review Committee
SB 78 C-03/24/2011	Senate Budget and Fiscal Review Committee	Budget Trailer Bill: Administration of Justice Grandfathers certain employees of the Office of the Inspector General of the California Department of Corrections and Rehabilitation as PO/FF members.		03/24/2011- Chaptered by the Secretary of State, Chapter No. 10, Statutes of 2011
SB 80 C-03/24/2011	Senate Budget and Fiscal Review Committee	Budget Trailer Bill: State Government Requires the Board to negotiate with health benefit carriers to add a Core Health Plan Option to its existing portfolio of health plans, and/or implement measures to achieve ongoing cost savings beginning in the 2012-13 fiscal year.		03/24/2011- Chaptered by the Secretary of State, Chapter No. 11, Statutes of 2011
SB 115 I-01/19/2011	Strickland	Public Employee Retirement Benefit Forfeiture Would require a public officer or employee who is convicted on or after January 1, 2012 of any felony for conduct arising directly out of his or her official duties to forfeit all rights and benefits under, and membership in, any public retirement system in which he or she is a member, effective on the date of final conviction. Forfeiture would be limited to only that portion of a public employees' rights and benefits that accrued on or after January 1, 2012.		02/10/2011- Senate PE&R Committee

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SB 136 I-01/31/2011	Yee	Health Care Coverage: Tobacco Cessation Would require certain health plans and health policies issued, amended, renewed, or delivered on or after January 1, 2012, to provide coverage for tobacco cessation treatment. The bill would make the coverage requirement inoperative upon a determination that it will result in the State assuming additional costs, as specified.		03/31/2011- Senate Health Committee
SB 252 I-02/10/2011	Vargas	Government Oversight and Fiscal Accountability Review Act Among other things, requires any State agency that enters into an agreement or combination or series of agreements for a private contractor to provide services with a value of \$100,000 or more, that are substantially similar to services provided by civil service employees of the agency to report to the Secretary of State regarding those contracts, who would then compile, publish, and make these reports available to the public. The bill also specifies that any subcontract executed under a privatization contract is a public record subject to reporting and inspection pursuant to the Public Records Act. In addition, State agencies would be required to provide specified information relating to their use of private contractors as part of their annual budget requests, and makes these contracts subject to review by the Bureau of State Audits.		03/09/2011- Senate Governmental Organization Committee
SB 294 A-03/24/2011	Price	Emerging Investment Managers: Five Year Plan This bill would require the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board to each provide a 5-year strategic plan to expand the participation of emerging investment managers across all asset classes. The bill would require each of the boards to submit an annual report to the Legislature, until January 1, 2018, with benchmarks regarding the progress of the strategic plan. The bill would require the boards to define "emerging investment manager" for purposes of these provisions by regulation.		03/24/2011- Senate Rules Committee

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SB 321 A-03/17/2011	Negrete McLeod	State Employees: Ratification of MOUs Provides legislative ratification for memoranda of understanding between the administration and state Bargaining Unit 2, California Attorneys, Administrative Law Judges, and Hearing Officers in State Government.		03/24/2011- Senate PE&R Committee
SB 322 I-02/14/2011	Negrete McLeod	Benefit Limits for Members Employed by Multiple CalPERS Employers Would clarify that a member who receives benefits based on credited service with multiple employers cannot exceed the annual federal limit on retirement benefit payments pursuant to Section 415 of the Internal Revenue Code.		03/25/2011- In Assembly.
SB 398 A-03/24/2011	Hernandez	Investments: External Managers Would clarify definitions of "external manager" in the Political Reform Act and other parts of the Government Code with regard to external investment managers retained by public retirement systems.		03/31/2011- Senate PE&R Committee and Senate Elections and Constitutional Amendments Committee
SB 439 A-03/23/2011	Negrete McLeod	CalPERS and CalSTRS Gift Limits Would prohibit all CalPERS and CalSTRS governing board members and designated employees from accepting gifts valued in excess of \$50 from any single individual or entity doing business or seeking to do business with the System in a calendar year. In addition, the bill would establish sanctions for vendors and contractors that make gifts in violation of this restriction twice in any five-year period.	Support	03/23/2011- Senate Elections and Constitutional Amendments Committee
SB 503 I-02/17/2011	Vargas	Judges' Retirement System II Service Credit Purchases Would allow a member of the Judges' Retirement System II to make a one-time written election to purchase and receive service credit for any number of whole years, or the entire time he or she served as a full-time subordinate judicial officer.		03/03/2011- Senate PE&R Committee

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SB 520 A-03/21/2011	Walters	Hybrid Retirement Plans for New CalPERS Members Would require CalPERS to establish a hybrid retirement plan for public employees who become members on or after January 1, 2012. The hybrid plan would be required to provide a defined contribution plan and defined benefit plan for retirement for service and a defined benefit for disability or death. The bill would also prohibit those plans from creating a vested property right for the member with respect to any employer contributions before retirement.		03/24/2011- Senate PE&R Committee <i>Same as SB 870.</i>
SB 522 A-03/22/2011	Walters	Prohibition on CalPERS, CalSTRS and 37 Act Additional Retirement Service Credit Purchases Would repeal an existing provision of the Public Employees Retirement Law (PERL) that allows vested members to purchase up to five years of additional retirement service credit. Also repeals similar provisions for members of CalSTRS and the 1937 Act County Retirement Systems.		03/22/2011- Senate PE&R Committee
SB 523 A-03/22/2011	Walters	Pension Ban for Local Elected Officials Would prohibit a person who is elected to local public office, on or after January 1, 2012, from becoming a member of a retirement system by virtue of that service or acquiring any retirement right or benefit for serving in that local elective office. This prohibition would not apply to a local elected official that obtained membership by virtue of holding office prior to January 2012, and that remains in, or is reelected to, that local office.		03/22/2011- Senate PE&R Committee
SB 524 A-03/22/2011	Walters	Public Employees' Retirement: Reinstatement Would prohibit public employee organizations from negotiating for the retroactive application of pension benefit increases. It would also specify that any adjustments to the formula used to calculate retirement benefits that would yield an increase in benefits apply only to service performed after the operative date of the adjustment, and would prohibit the retroactive application of that adjustment.		03/22/2011- Senate PE&R Committee

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SB 526 A-03/21/2011	Walters	Defined Contribution Program for New State Employees Would specify that for purposes of determining a defined benefit for public employees first hired on or after January 1, 2012, final compensation means the highest annual average compensation earnable by the person during a consecutive 36-month period of membership in a public retirement system. The bill would also prohibit the addition of compensation for accrued leave or overtime work in the calculation of final compensation.		03/24/2011- Senate PE&R Committee
SB 528 A-03/22/2011	Walters	CalPERS Board of Administration: Gubernatorial Appointment of Members Subject to voter approval, would replace the six members of the CalPERS Board of Administration elected directly by CalPERS members, with 6 members appointed by the Governor. It also requires a special election be held to determine the matter, and consolidated with a statewide election held in 2011.		03/22/2011- Senate PE&R Committee
SB 689 A-03/25/2011	Harman	Retirement System Reporting Requirements This bill would require all State and local public retirement systems to prepare their financial reports made in accordance with generally accepted accounting principles on a quarterly, instead of annual basis. In addition, it would require all State and local public retirement systems to secure the services of an enrolled actuary at least biennially, rather than triennially as currently required. It would also require the Controller to report on the name, membership classification, former employer, and corresponding benefit amount paid to all retired public employees that receive pension benefits of \$100,000 or more annually.		03/25/2011- Senate Rules Committee

Bill Number Version	Author	Summary	Board Position	Status
SB 810	Leno	Single-Payer Health Care Coverage		03/31/2011- Senate Health Committee
I-02/18/2011		Makes all California residents eligible for specified health care benefits under the newly created California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Prohibits the issuance of health plan contracts for services covered by the system. Creates the California Healthcare Premium Commission (Commission) to determine the cost of the California Healthcare System and develop a premium structure. Requires the Commission to recommend a premium structure to the Governor and Legislature on or before January 1, 2011, and to make a draft recommendation to the Governor, the Legislature and the public 90 days before submitting its final premium structure recommendation. Requires that the system be operative within two years of the Secretary of Health and Human Services notifying the Legislature that sufficient funds exist.		
SB 820	Walters	CalPERS Employer Contribution Rates: Calculation and Reporting		03/24/2011- Senate PE&R Committee
A-03/21/2011		Among other things, would replace existing requirements that CalPERS, when adopting contribution rates for state and public agency employers, report to the Legislature alternative data regarding its investment returns, amortization periods, and discount rates using specific analytical guidelines, and instead require an annual report whose scope is limited to the state retirement plans. The bill would also delete the reference to the 10-year United States Treasury Bond, and instead require a calculation of liabilities using discount rates equal to the average rate of investment return since the establishment of the fund, and since January 1, 1984.		

Bill Number Version	Author	Summary	Board Position	Status
SB 903 I-02/18/2011	Anderson	Fiduciary Determinations for Iran Divestment Existing law allows the CalPERS Board of Administration to suspend action as described in the California Public Divest from Iran Act (Act) if it determines such action would be inconsistent with its fiduciary duties as described in the California Constitution. This bill replaces that authorization with the requirement that the Board determine in a properly-noticed public meeting that a specific action described in the Act would be a breach of its fiduciary responsibilities in order suspend action.		03/10/2011- Senate PE&R Committee and Senate Judiciary Committee
